IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUMMARY SUIT NO.397 OF 2003

M/s. Vicky (India) ...Plaintiffs.

V/s

M/s. Rajlakshmi Garments & Ors. ...Defendants.

Called out for Ex-parte decree:

Mr. M. Rajkumar for the plaintiffs.

None for the defendants.

CORAM : V.M. KANADE, J.
DATE : 9th August, 2004.

P.C.:

Heard learned Counsel appearing on behalf of the plaintiffs.

Plaintiffs have filed the affidavit of service in which it is stated that the Writ of Summons was served as per the instructions of Sheriff of Mumbai by Registered post with acknowledgement due. Original Writ of Summons is also filed which shows that the defendants were served by Registered A.D. Plaintiffs have also filed list of original documents along with the original documents which is taken on record. Original documents are taken on record and marked as Exhibits-A, B, & C.

Under the circumstances, though the defendants are served, they have not filed their appearance as required under Order XXXVII of the Civil

Procedure Code.

Suit is decreed in terms of prayer clause (i)

Refund of court fees as per rules.

V.M. KANADE, J.